



**Fw: Reminder: payment is due 9/5**  
James Costello to: Doretha Christian

09/04/2012 04:05 PM

From: James Costello/R6/USEPA/US  
To: Doretha Christian/R6/USEPA/US@EPA  
History: This message has been forwarded.

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----- Forwarded by James Costello/R6/USEPA/US on 09/04/2012 04:01 PM -----

From: "Tracy, Brent" <Brent.Tracy@jm.com>  
To: James Costello/R6/USEPA/US@EPA, "Long, Kenneth (ENRD) (Kenneth.Long@usdoj.gov)"  
<Kenneth.Long@usdoj.gov>  
Cc: "ekenney@sidley.com" <ekenney@sidley.com>  
Date: 09/04/2012 02:42 PM  
Subject: RE: Reminder: payment is due 9/5

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This e-mail is providing notice, pursuant to paragraph 2(d) of the Westbank Settlement Agreement, that JM made our initial payment of \$850,000 via wire transfer today. A copy of the confirmation is attached. We will provide separate, written notice to the Region 6 Section Chief as required. While the transfer did include the requisite information, our Treasury Department mistakenly included the Region 5 address, which was likely a carry-over from an oversight payment recently made on our Waukegan, IL Superfund Site. I apologize if that causes any confusion on your end. Jim, is there a way you can confirm this was properly accounted for on your end?

**Brent Tracy**  
Associate General Counsel  
Environmental, Health & Safety  
**Johns Manville**  
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**From:** James Costello [mailto:Costello.James@epamail.epa.gov]  
**Sent:** Friday, August 31, 2012 1:33 PM  
**To:** Tracy, Brent  
**Cc:** ekenney@sidley.com  
**Subject:** Reminder: payment is due 9/5

Brent,



679882

Just a friendly reminder that payment is due on 9/5/12.

Regards,

Jim

-----Forwarded by James Costello/R6/USEPA/US on 08/31/2012 02:29PM -----

To: "Tracy, Brent" <[Brent.Tracy@jm.com](mailto:Brent.Tracy@jm.com)>

From: "Long, Kenneth (ENRD)" <[Kenneth.Long@usdoj.gov](mailto:Kenneth.Long@usdoj.gov)>

Date: 08/17/2012 11:42AM

Cc: "Kenney, Edward P." <[ekenney@Sidley.com](mailto:ekenney@Sidley.com)>, James Costello/R6/USEPA/US@EPA

Subject: RE: Johns Manville: Westbank Asbestos Superfund Site Settlement Agreement

(See attached file:

*ENV\_ENFORCEMENT-#2261396-v1-JM\_Scanned\_FinalSettlementAgreement\_ALLPAGES\_ATTACHMENTA\_8\_17\_12.PDF*)

I am trying again. Attached is the final Settlement Agreement with Attachment A included. I again had trouble with the scanning equipment - I had to run it through a few times because it was skipping pages, and page 2 is a little off center. Nevertheless, this should include all pages of the Agreement and Attachment A. Please let me know if you want a hard copy in the mail. Thank you. Ken

-----Original Message-----

From: Tracy, Brent [<mailto:Brent.Tracy@jm.com>]

Sent: Friday, August 17, 2012 12:10 PM

To: Long, Kenneth (ENRD)

Cc: Kenney, Edward P.

Subject: Re: Johns Manville: Westbank Asbestos Superfund Site Settlement Agreement

Ken:

We got the agreement that you e-mailed, but that one was missing two pages of the text. For our records, I've added the two pages and the map. Were you sending a hard copy also or were you just referencing the electronic copy in your e-mail?

Sent from my iPad

On Aug 17, 2012, at 9:56 AM, "Long, Kenneth (ENRD)" <[Kenneth.Long@usdoj.gov](mailto:Kenneth.Long@usdoj.gov)> wrote:

> Hi Brent and Ed. Please confirm receipt of the signed Settlement Agreement. Thanks. Ken

> From: Long, Kenneth (ENRD)

> Sent: Tuesday, August 07, 2012 2:48 PM

> To: 'Tracy, Brent'; Kenney, Edward P.

> Cc: Mark Peycke; Davis, Buffy (ENRD); Davis, Joe (ENRD); 'James Costello'; 'Nixon.Lance@epamail.epa.gov'; Douglas, Nathaniel (ENRD)

> Subject: Johns Manville: Westbank Asbestos Superfund Site Settlement Agreement

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> Hello Ed and Brent. I am happy to provide to you the signed final Settlement Agreement that resolves the claims in this matter. The document is effective upon the last signature which I provided yesterday, so the first

payment will be due in 29 days in accordance with the instructions in paragraphs 2 and 4. I am glad we were able to bring this to a satisfactory resolution. I enjoyed working with you both. Sincerely, Ken

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> Kenneth G. Long  
> Senior Attorney  
> Environmental Enforcement Section  
> U.S. Department of Justice  
> P.O. Box 7611  
> Washington, D.C. 20044-7611  
> 202-514-2840  
> 202-616-6584 (fax)

>

> Express Mail Deliveries:  
> ENRD Mailroom, Room 2121  
> 601 D Street, NW  
> Washington, DC 20004

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<ENV\_ENFORCEMENT-#2256257-v1-JM\_FINALSIGNEDSETTLEMENTAGREEMENT\_08\_07\_2012.PDF>



Wire Confirmation 090412.docx